

REMARKS

Applicants' undersigned attorney gratefully acknowledges the courteous telephone interview yesterday with the Examiner in charge of this application. As discussed during the interview, the Office Action of October 22, 2003 has been carefully reviewed in light of the cited references and the Examiner's comments, and accordingly, independent claims 32 and 35 are being amended to clarify the structure of applicants' patio door assembly and to distinguish further between applicants' structure and the door and frame assemblies disclosed in Novak et al '223 and Yane '947. Applicants acknowledge the allowance of independent claim 34 and dependent claims 29 and 33.

In reference to amended claim 32, the rectangular frame 78 of applicants' fixed or first door panel 70 (FIG. 3) includes plastics extrusions enclosing a glass panel 80 and having a peripherally extending and laterally outwardly facing external groove 95. A rigid spacer member 128 is confined within the groove and extends completely around the door panel frame. The spacer member precisely and uniformly positions the fixed door panel 70 between the head and sill members (14 & 16) and between the vertical jamb member 18 and astragal member 50, as stated at the top of page 7. In addition, the spacer member closes the gap surrounding the door frame 78. Novak et al '223 discloses in FIG. 4 a solid door 12 and solid fixed side lites 64 & 66, and the vertical jamb 56 & 62 of the main outer frame (FIG. 3) have vertical grooves which receive projecting ribs of vertical brick moldings 84. Novak et al '223 in no way suggests a reconstruction of door assembly disclosed in Yane '947 to arrive at applicants' door assembly as set forth in claim 32.

With respect to amended claim 35, each of applicants' rectangular door panel frames 78 (FIG. 5) encloses a glass panel 80 and has parallel spaced outer side walls 82 & 83 and inner walls 86, and laterally extending inner walls 88, 91 & 92 integrally connecting the side walls 82 and inner walls 86. The outer and inner walls 82 & 86 and the internal walls 91 & 92 extend completely around the glass

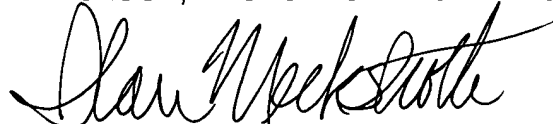
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panel 80, and the active leaf 117 of the hinge 115 is secured by threaded fasteners 66 to the laterally extending internal walls 88 of the adjacent frame member of the swinging door panel 75. While the fixed vertical jambs (56, 58, 60, 62) of Novak et al '223 (FIG. 4) have parallel spaced walls integrally connected by internal walls, there is no teaching in Novak et al for reconstructing the rectangular solid door panel frames disclosed in Yane '947 to arrive at applicants' door assembly, as set forth in claim 35. As mentioned above, Novak et al '223 discloses a solid door 12 and solid side lites 64 & 66.

Applicants submit that the above amendments to independent claims 32 and 35 should place these claims and dependent claims 24-28 and 30 in condition for allowance with claims 34, 29 and 33. In any event, applicants request that the above amendments to claims 32 and 35 be entered for purpose of appeal since the amendments further clarify the structure of applicants' patio door assembly.

Respectfully submitted,

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